

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

FILED BY 4
05 NOV -3 AM 9:13
THOMAS J. BOLD
CLERK U.S. DISTRICT COURT
W.D. OF TN, JACKSON

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
VS.) No. 05-10041-T-An
)
ALEX LOUIS,)
)
Defendant.)

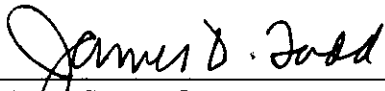
ORDER DENYING DEFENDANT'S *PRO SE* MOTION
REQUESTING NEW COUNSEL

Defendant has filed a motion, *pro se*, seeking to discharge his court-appointed attorney, Dianne Smothers, and have another attorney appointed to represent him. As grounds, Defendant states that his attorney (1) has met with him only twice to discuss the progress of Defendant's case, (2) has not raised issues as instructed by Defendant, and (3) has not communicated with Defendant such that "an impasse has been reached."


Defendant's motion is DENIED. First, Defendant is represented by an attorney and, thus, cannot file motions on his own behalf. See Green v. Dorrell, 969 F.2d 915 (10th Cir. 1992) (Represented party must have current counsel file motion to withdraw counsel.) Second, Defendant pled guilty on August 2, 2005, and was sentenced on October 28, 2005. No notice of appeal has been filed. Consequently, the matter is no longer pending before the court.

For all these reasons, Defendant's motion for new counsel is DENIED.

IT IS SO ORDERED.



JAMES D. TODD
UNITED STATES DISTRICT JUDGE



DATE



Notice of Distribution

This notice confirms a copy of the document docketed as number 28 in case 1:05-CR-10041 was distributed by fax, mail, or direct printing on November 4, 2005 to the parties listed.

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Honorable James Todd
US DISTRICT COURT